

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, August 16, 2006
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Bud Catlin
Council Member Les Matsumura
Council Member Lynn Handy

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Mark McGrath, Community Development Director
Gordon Haight, City Engineer

Excused:

BRIEFING SESSION

1. Review Administrative Report – *Community Development*

18:03:33 Chairman Morris Pratt conducted the Briefing Session, which convened at 6:03 p.m. City Recorder Virginia Loader conducted a Roll Call Vote, wherein all Council Members were present. The Administrative Report for Community Development was then reviewed.

2. Review Agenda

18:20:04 The agenda for the City Council Meeting was reviewed and discussed.

The minutes of August 8, 2006, Page 2 line 32 were amended to read: “Chairman Morris Pratt referred to written comments from Janice Auger...”

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Bud Catlin
Council Member Les Matsumura
Council Member Lynn Handy

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gordon Haight, City Engineer
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Wayne Dial, Acting Chief of Police
Kevin Taylor, Court Administrator
Rosie Rivera, Police Sergeant

Excused: Donald Adams, Economic Development Director

Citizens: Sharon Wall, Brent Van Wagoner, Katie Larsen, Gaylord Scott, Dale Kehl, Julene Inskeep, Avry Wright, Marv Mackey, Kristie Overson, Jolene Dearden

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:35:41 Chairman Morris Pratt called the meeting to order at 6:33 p.m. and welcomed those in attendance. City Recorder Virginia Loader conducted a Roll Call Vote, wherein all Council Members were present.

1.1 Pledge of Allegiance – Opening Ceremonies – *Council Member Handy*

18:36:13 Council Member Lynn Handy directed the Pledge of Allegiance.

1.2 Reverence –*Council Member Handy* (Opening Ceremonies for September 6, 2006 to be arranged by Youth Council)

18:36:49 Brent Van Wagoner offered the Reverence.

1.3 Citizen Comments

18:37:36 Chairman Morris Pratt reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

There were no citizen comments, and Chairman Pratt closed the citizen comment period.

1.4 Mayor's Report

18:38:58 Mayor Russ Wall reported that he and Chairman Pratt attended a ceremony at the Community Health Center last week to accept an award on behalf of the City for their continued support.

He reported that County Treasurer Larry Richardson was at the Senior Center this morning presenting information to seniors to assist them in applying for "circuit breaker" tax relief that allows residents a way to have some of their taxes alleviated or eliminated.

Mayor Wall also reported that Police Chief Del Craig and Assistant Chief Wayne Dial will be sworn in Monday, August 21, 2006 at 8:00 a.m. and encouraged attendance at that event.

2. REPORTS

2.1 Taylorsville Victim Services – *Tessa Inskeep*

18:41:37 Tessa Inskeep, of the Taylorsville City Police Department, described the Victim Advocate Program that is implemented in the City and reported on assistance that has been rendered to victims of crime.

18:59:45 Ms. Inskeep then addressed questions from the City Council. City Administrator John Inch Morgan said that a Resolution accepting a \$29,000 VOCA Grant will be presented for the Council's consideration on September 6, 2006.

2.2 Presentation of the Proposed Changes to the Clerks Office and Bailiffs – *Kevin Taylor*

19:03:01 Court Administrator Kevin Taylor discussed a proposed change in the schedule of the Clerk's Office and with the Bailiffs to make it possible for the Court to stay open until 7:00 pm. each business day. He noted that this will enable the Court to clear up some backlog and provide better customer service on Plea in Abeyance cases.

3. APPOINTMENTS

3.1 Brent Van Wagoner, Budget Committee – *Chairman Pratt*

19:08:14 Chairman Pratt recognized Brent Van Wagoner and nominated him to serve on the Budget Committee.

19:08:54 Council Member Lynn Handy **MOVED** to appoint Brent Van Wagoner as a member of the Budget Review Committee. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

4. CONSENT AGENDA

4.1 Minutes – RCCM 08-02-06 and SCCMWS 08-08-06

19:09:53 Council Member Jerry Rechtenbach **MOVED** to adopt the Consent Agenda. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

5.1 Request for an Exception to the Requirements of Title 14 (Highways, Sidewalks and Public Spaces) for a Proposed Residential Subdivision at 6350 and 6362 South 2200 West – *Mark McGrath*

19:10:50 Mark McGrath, Community Development Director, stated that Mr. Dale Kehl is requesting an exception to the roadway standards of Title 14 for the access road to his new single family subdivision at 6350 and 6362 South 2200 West. Because of the narrowness of the properties adjacent to 2200 West, Mr. Kehl is requesting an exception from our normal standard of 30 feet back of curb to back of curb with a five-foot park strip and four-foot sidewalk on each side.

Mr. McGrath illustrated the road that is being proposed for the eastern portion of the subdivision.

Mr. McGrath noted that according to Taylorsville City Code (14.12.150) the City Council, based on a recommendation from the Planning Commission, can grant exceptions to the roadway

standards where unusual topographic, aesthetic, or other exceptional condition or circumstance exists and the exceptions are not detrimental to the safety and welfare of the public.

Mr. McGrath stated that on August 9, 2006 the Taylorsville Planning Commission recommended approval of a roadway exception with the following stipulations:

- Road width will be 27' back of curb to back of curb
- On the north side of the road a five foot park strip will be constructed that includes trees planted approximately every twenty feet
- A six foot vinyl fence will be constructed adjacent to the property north of the proposed road that includes a 24 foot wide gate to provide access to the rear of the adjacent property
- On the south side of the road a five foot park strip and four foot sidewalk will be constructed. The sidewalk and park strip will be placed on private property with a public access agreement. Although front yard setbacks may be as little as 10'-15' behind the back of the sidewalk all driveways will be at least 20' long to accommodate an automobile without hanging over the sidewalk.

Mr. McGrath said that Staff supports the granting of the exception, but prefers the alignment as suggested by the Planning Commission based on increased pedestrian safety, snow removal complications, and accessibility issues.

19:17:26 Mr. McGrath then addressed questions from the City Council.

19:18:46 John Brems, City Attorney explained that an exception needs to be granted by the City Council in the form of a Resolution.

Chairman Pratt then instructed Mr. McGrath to draft a resolution for the Council's consideration for the next Regular City Council Meeting Consent Agenda.

5.2 Discussion of General Plan Final Draft – Chapters 4 and 6 – *Chairman Morris Pratt*

19:19:43 Chairman Pratt called for review and discussion of Chapters 4 and 6 of the Final Draft of the General Plan.

Council Member Jerry Rechtenbach **MOVED** to move Agenda Item 5.2 just before Agenda Item 7.1 Other Business. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.1 Resolution No. 06-31 – Approving an Interlocal Cooperative Agreement Between Salt Lake County and Taylorsville City for UPDES CO-Permit – *John Inch Morgan*

19:20:43 City Administrator John Inch Morgan called for consideration of approval for Resolution No. 06-31 regarding the Inter-local Agreement between the City of Taylorsville and Salt Lake County for the purpose of co-permitting UPDES Storm water Permit #UTS00001.

19:23:05 Council Member Bud Catlin **MOVED** to adopt Resolution No. 06-31 – Approving an Interlocal Cooperative Agreement between Salt Lake County and Taylorsville City for UPDES Co-Permit. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

6.2 Resolution No. 06-30 – Approving a Uniform Interlocal Agreement with the Utah State Tax Commission with Respect to the Municipal Telecommunications License Tax – *John Inch Morgan*

19:23:59 City Administrator John Inch Morgan called for consideration of approval for Resolution No. 06-30 for a uniform interlocal agreement with the Utah State Tax Commission with respect to the Municipal Telecommunications License Tax.

19:24:46 Mr. Morgan then addressed questions from the City Council.

19:26:23 Council Member Les Matsumura **MOVED** to adopt Resolution No. 06-30 – Approving a Uniform Interlocal Agreement with the Utah State Tax Commission with Respect to the Municipal Telecommunications License Tax. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

6.3 Ordinance No. 06-35 – Establishing a Municipal Energy Sales and Use Tax; Setting the Rate for Such Tax; and Establishing the Effective Date for Such Tax – *John Inch Morgan*

19:27:30 City Administrator John Inch Morgan called for consideration of approval of Ordinance No. 06-35 establishing a municipal energy sales and use tax; setting the rate for such tax, and establishing the effective date of such tax.

19:28:58 Mr. Morgan then addressed questions from the City Council. He explained that the tax becomes effective January 1, 2007 and will require a Mid-Year Budget adjustment.

19:30:35 John Brems, City Attorney, addressed questions from the City Council regarding exemptions.

19:31:51 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-35 Establishing a Municipal Energy Sales and Use Tax; Setting the Rate for Such Tax; and Establishing the Effective Date for Such Tax. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-no. **All City Council members voted in favor and the motion passed 4 to 1.**

19:32:47 Chairman Pratt explained his vote and said that although he has voted against tax increases for the City, he feels that this is an appropriate tax.

6.4 Ordinance No. 06-37 – Establishing a Tax on the Gross Receipts of Telecommunications Service Providers; Setting the Rate for Such Tax; and Establishing the Effective Date of the Tax – *John Inch Morgan*

19:33:11 City Administrator John Inch Morgan called for consideration of approval of Ordinance No. 06-37 – Establishing a Tax on the Gross Receipts of Telecommunications Service Providers; Setting the Rate for Such Tax; and Establishing the Effective Date of the Tax.

19:34:06 Mr. Morgan then addressed questions from the City Council.

19:34:19 Council Member Jerry Rechtenbach **MOVED** to adopt Ordinance No. 06-37 – Establishing a Tax on the Gross Receipts of Telecommunications Service Providers; Setting the Rate for Such Tax; and Establishing the Effective Date of the Tax. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

19:35:09 Council Member Bud Catlin explained his vote and said that he voted in favor of the proposed ordinance because he feels that 4% is an appropriate tax rather than a 6% tax.

5.2 Discussion of General Plan Final Draft – Chapters 4 and 6 – *Chairman Morris Pratt*

19:35:45 Chairman Pratt called for review and discussion of Chapters 4 and 6 of the Final Draft of the General Plan.

Mark McGrath led discussion in regards to Bus Rapid Transit on Redwood Road.

19:46:41 Chairman Pratt said that he had numerous comments and discussion then ensued among the City Council Members. The following recommendations were made:

- Several minor text amendments
- Add an action statement to focus on mobility projects that don't increase vehicle travel lanes
- Update various statistics to represent latest published figures
- Add descriptions of different road classifications

Chapter 5 and Chapter 6 will be addressed at the Regular City Council Meeting held September 6, 2006.

7. OTHER MATTERS

7.1 Ordinance No. 06-38 – Restating Chapter 5.86 with Respect to Solicitors, Canvassers, and Peddlers – *John Brems*

21:14:42 City Administrator John Inch Morgan presented the subject ordinance and called for Council approval.

21:15:51 City Attorney John Brems explained that Business License Clerk Mary Lund has asked that this ordinance be tabled in order to allow time for her review.

21:17:41 City Council Members addressed Mr. Brems with their comments and questions. Discussion was held in regards to residential solicitation and business solicitation.

21:19:49 Mr. Brems outlined specifics of the Kirby Case, which brought this issue forward.

21:27:00 Council Member Bud Catlin said that he has been in businesses where there are no solicitation signs. Chairman Pratt requested Mr. Brems research the no business solicitation regulation.

21:27:47 Council Member Bud Catlin **MOVED** to table Ordinance No. 06-38 to September 6, 2006. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

21:28:22

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

21:28:27

- 9.1 City Council Briefing Session – Wednesday, September 6, 2006 – 6:00 p.m.**
- 9.2 City Council Meeting – Wednesday, September 6, 2006 – 6:30 p.m.**
- 9.3 City Council Work Session – Wednesday, September 13, 2006 – 6:00 p.m.**
- 9.4 City Council Briefing Session – Wednesday, September 20, 2006 – 6:00 p.m.**
- 9.5 City Council Meeting – Wednesday, September 20, 2006 – 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

21:29:04

- 10.1 Swearing In Ceremony for the Chief of Police and Assistant Chief of Police, Monday, August 21, 2006, 8:00 a.m. in the Council Chambers**
- 10.2 Guest Speaker – Judy Brusk – at the Taylorsville Assembly Hall, Thursday, September 14, 2006, at 7:00 p.m., 1247 West 4800 South. She will Share Her Adventure to Retrace the Oregon and Mormon Trails and Insights Into Pioneer Women – Sponsored by the Historic Preservation Committee in Conjunction with Utah Humanities Council – Free Admission**
- 10.3 Celebrate Your Museum Day – Saturday, September 16, 2006, 2:00 p.m. to 6:00 p.m. – Taylorsville-Bennion Heritage Center, 1488 West 4800 South**

11. ADJOURNMENT

21:29:35 Council Member Les Matsumura **MOVED** to adjourn the City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Handy-yes, Matsumura-yes,

Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:30 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 09-06-06

Minutes Prepared by: Virginia Loader, City Recorder